REMARKS

In the Office Action, the Examiner rejected claims 1-20. By the present Response, Applicants amended claims 16 and 18-20 to improve the readability of the claims without altering the subject matter of the claims. In addition, Applicants added new claims 21-25 to clarify certain aspects of the present invention. No new matter has been added. In view of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and allowance of all pending claims.

Claim Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-20 under U.S.C. § 102(e) as anticipated by Kahn et al. (US-2002/0069204 06/06/02) (hereafter Kahn). Applicants respectfully traverse this rejection.

Legal Precedent

Anticipation under section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). To maintain a proper rejection under section 102, a single reference must teach each and every limitation of the rejected claim. *Atlas Powder v. E.I. du Pont*, 750 F.2d 1569 (Fed. Cir. 1984). Accordingly, the Applicants need only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter. The prior art reference also must show the *identical* invention *"in as complete detail as contained in the ... claim"* to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989).

Claim Features Omitted from Kahn

Turning to the claims, the present independent claim 1 recites "*generating the data file* from dynamic data in *real-time*; and populating the Web page with the data file." Conversely, the Kahn reference discloses that content for a dynamic Web page is retrieved from a *pre-existing* database *without generating a file or a data file*. *See* page 1, para. 0005. Instead, the content is assembled *directly* into the dynamic page at run time by means of templates. *See id.* Therefore, the Kahn reference cannot anticipate independent claim 1 or its dependent claims.

Independent claim 8 recites "accessing dynamic data and *creating the dynamic data file* in *real-time* independently of the Web page; and merging dynamic data in the dynamic data file with the Web page." In sharp contrast, Kahn discloses that a Web page receives data *directly* from a database via a dynamic database reader (DDR) and a control program (CP). *See* page 1, paras. 0025, 0027, 0028; page 4, paras. 0046 and 0048; page 5, paras. 0050, 0053, and 0058; Fig. 3, blocks 306-312. While the CP may work in conjunction with the DDR to format the data, *no data file is created. See id.* Moreover, while the CP may facilitate altering the data in the *pre-existing* database via an applications programs interface (API), *no data file is created* as the modified data is delivered to the browser for rendering and presentation to the user. *See* para. 0028. Therefore, the Kahn reference cannot anticipate independent claim 8 or its dependent claims.

Independent claim 16, as amended, recites "a data collection module adapted to retrieve in real time the dynamic data identified by the call analysis module and to *generate the file as the data is retrieved*; and a data population module adapted to *merge in real time the dynamic data in the file* with the dynamic Web page." Again, in contrast, Kahn discloses that a control program (CP) works in conjunction with a Dynamic Database Reader (DDR) to retrieve content *directly* from a *pre-existing* file in a database. *See* page 1, paras. 0025, 0027, 0028; page 4, paras. 0046 and 0048; page 5, paras. 0050,

0053, and 0058; Fig. 3, blocks 306-312. The DDR is *not* adapted to create a data file during the collection of the data. *See id.* As discussed, the data is retrieved by the DDR for *direct* rendering in a Web browser *without generating an intermediate file. See id.* Therefore, the Kahn reference cannot anticipate independent claim 16 or its dependent claims.

In view of these deficiencies of Kahn, the Applicants respectfully requests withdrawal of the rejection of claims 1-20 under 35 U.S.C. § 102.
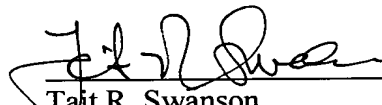
New Claims

The Applicants added new dependent claims 21-25 as noted above. These new claims recite a variety of features that are missing from the Kahn reference. For example, dependent claim 21 recites "*localizing a language* of the Web page," and dependent claim 22 recites "remotely *managing a headless computer system* based on the dynamic data." In view of the deficiencies of Kahn, these new claims are believed to be patentable over Kahn.

Conclusion

The Applicants respectfully submit that all pending claims should be in condition for allowance. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve any other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

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